

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JESSE KRIMES,	:	
	:	
on behalf of himself and all	:	CIVIL ACTION
others similarly situated,	:	NO. 15-5087
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
JPMORGAN CHASE BANK, N.A., et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 26th day of **October, 2016**, upon consideration of "Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement" (ECF No. 31); "Class Member Objection to Motion for Preliminary Approval of Class Action Settlement and Motion for Leave to Take Discovery Regarding Class Action Settlement," (ECF No. 33); and "Motion for Leave to File Reply in Support of Class Member Objection to Motion for Preliminary Approval of Class Action Settlement" (ECF No. 39), and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that:

1. the motion for leave to file a reply (ECF No. 39) is **GRANTED** and the brief filed at ECF No. 39-1 is deemed filed as of September 1, 2016;

2. the objections to the motion for preliminary approval are **OVERRULED** and the motion for leave to take discovery (ECF No. 33) is **DENIED**; and

3. Plaintiff's motion for preliminary approval (ECF No. 31) is **GRANTED**.

It is hereby further **ORDERED** that:

1. as described in the accompanying memorandum opinion, the proposed Settlement Agreement and Release are preliminarily approved as they are fair, reasonable, and adequate. Class certification for the purposes of settlement is appropriate and meets the requirements of Fed. R. Civ. P. 23(a) and (b).

2. The Court conditionally certifies the following settlement class:

All persons in the United States who, up to and including the date of preliminary approval, were issued BOP Debit Cards upon their release from federal correctional facilities as part of the U.S. Debit Card program operated by JPMorgan Chase Bank, N.A. for the United States Treasury Department and the Federal Bureau of Prisons.

3. The Court appoints Plaintiff's Class Counsel to represent the Settlement Class as follows:

Ruben Honik, Esquire
David J. Stanoch, Esquire
Golomb & Honik, P.C.
1515 Market Street, Suite 1100

Philadelphia PA 19102

4. The Court appoints Plaintiff Jesse Krimes as representative of the certified Settlement Class.

5. The Court approves the proposed forms of notice including the Mailed Notice, the Publication Notice, the Long Form Notice, and the Claim Form, (ECF No. 31 Exh. C), and finds that they are reasonable and adequate and meet the requirements of Fed. R. Civ. P. 23(c) and (e), as discussed in the accompanying memorandum opinion.

6. The Court hereby appoints Kurtzman Carson Consultants ("KCC") as the Settlement Administrator.

7. The Settlement Administrator will provide notice to the Settlement Class as follows:

a. Not later than **Friday, January 6, 2017**, the Settlement Administrator shall complete the effectuation of the Mailed Notice and Publication Notice substantially in the form attached to the Parties' papers.

b. The Court also approves the establishment of a website for the settlement as described in the Settlement, which shall include the Settlement Agreement, Long Form Notice, sample Claim Forms, Orders of the Court relating to the settlement, any application for an Attorneys' Fee and Expense Award

and Plaintiff's Service Award, and such other information as the Parties mutually agree would inform the Settlement Class regarding the settlement.

c. In addition to its availability on the Settlement Website, the Settlement Administrator shall send via first-class mail or email, the Long Form Notice to those persons who request it in writing or through the toll-free telephone number. The toll-free telephone number shall be operational within 60 days after the Court entered this Preliminary Approval Order.

8. Settlement Class Members have until **Monday, March 6, 2017**, to file all opt-in claim forms, opt-out requests, and objection requests with the Court, sending copies by mail on the same date to Class Counsel and defense counsel.¹

9. Plaintiffs' Class Counsel shall file their Fee and Service Award Applications **by Monday, February 13, 2017**.

10. The motion for final approval of the Settlement Agreement and any papers Plaintiff or Chase wishes to submit in

¹ Defense counsels' address is:

Noah Levine, Esquire
Jamie Dycus, Esquire
WilmerHale
7 World Trade Center
250 Greenwich Street
New York, NY 10007

support of final approval of the Settlement Agreement shall be filed with the Court **by Monday, February 13, 2017.**

11. The Court will hold a final fairness hearing on **Wednesday April 12, 2017 at 10:00 a.m.** in Courtroom 15A, U.S. Courthouse, 601 Market Street, Philadelphia, PA to consider the propriety of final settlement approval in light of any written objections, opt-outs, or requests to be heard.

12. Pending the final fairness hearing, all other proceedings in the case, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this Order, are stayed.

AND IT IS SO ORDERED.

/s/ Eduardo Robreno
EDUARDO C. ROBRENO, J.